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8   UNITED STATES DISTRICT COURT
                     WESTERN DISTRICT OF WASHINGTON
9   AT TACOMA

10   TIMOTHY D. JOHNSON,

11   Plaintiff,   CASE NO. 11-cv-05511 JRC

12   v.   ORDER ON STIPULATED MOTION
                                                     FOR EQUAL ACCESS TO JUSTICE
13   MICHAEL J. ASTRUE, Commissioner of   ACT FEES AND EXPENSES
     the Social Security Administration,
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                            Defendant.
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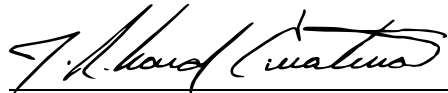
16   This Court has jurisdiction pursuant to 28 U.S.C. § 636(c), Fed. R. Civ. P. 73 and Local

17   Magistrate Judge Rule MJR 13. (See also Notice of Initial Assignment to a U.S. Magistrate

18   Judge and Consent Form, ECF No. 8; Consent to Proceed Before a United States Magistrate

19   Judge, ECF No. 10). This matter is before the Court on plaintiff's Stipulated Motion for Equal

20   Access to Justice Act Fees and Expenses (see ECF No. 26).

21   Based on the Equal Access to Justice Act, 28 U.S.C. § 2412, (hereinafter "EAJA") and

22   the Stipulation of the parties (ECF No. 26), it is hereby ORDERED that EAJA attorney's fees of

23   $4,631.36 and expenses in the amount of $18.69, shall be awarded to plaintiff pursuant to the

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1 EAJA and consistent with <u>Astrue v. Ratliff,</u> 130 S. Ct. 2521, 2524, 2010 U.S. LEXIS 4763 at

2 ***6-***7 (2010). Defendant shall contact the Department of Treasury after the Order for

3 EAJA fees and expenses is entered in order to determine whether or not the EAJA award is

4 subject to any offset. If it is determined that plaintiff's EAJA award is not subject to any offset

5 allowed under the Department of the Treasury's Offset Program, then the check for EAJA fees

6 and expenses shall be made payable to Dellert Baird Law Office, PLLP, based on plaintiff's

7 assignment of these fees and expenses to plaintiff's attorney. Any check for EAJA fees and

8 expenses shall be mailed to plaintiff's counsel, Christopher H. Dellert, Esq., at Dellert Baird Law

9 Firm, PLLP, P.O. Box 955, Port Orchard, WA 98366.

10   Dated this 6th day of February, 2012.

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12   J. Richard Creatura
                                  United States Magistrate Judge
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ORDER ON STIPULATED MOTION FOR EQUAL
ACCESS TO JUSTICE ACT FEES AND
EXPENSES - 2